

relief requested sufficiently complies with the requirements of Section 307 of the Baltimore County Zoning Regulations (B.C.Z.R.) and, therefore, should be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 2nd day of May, 1991 that the Petition for a Zoning Variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a lot width of 50 ft. in lieu of the minimum required 55 ft., in accordance with Petitioner's Exhibit No. 1, is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted herein:

1. The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

DATE RECEIVED FOR FILING
Date
By

JRH:mmm
cc: Peoples Counsel

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner
for Baltimore County

-2-

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

May 2, 1991

Mr. Thomas Booth
4 Montrose Avenue
Catonsville, Maryland 21228

RE: Petition for Zoning Variance
Case No. 91-330-A

Dear Mr. Booth:

Enclosed please find the decision rendered in the above captioned case. The Petition for Zoning Variance has been granted in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,
J. Robert Haines
J. Robert Haines
Zoning Commissioner

JRH:mmm
encl.
cc: Peoples Counsel

PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1B02.3.C.1 to permit a lot width of 50' in lieu of the required 55'.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)

I acquired these lots from the adjoining property owner of lots 35 and 36 within the last year. I did not know that they were undersized until a building permit was applied for.

There have been a number of other similar variances granted in the surrounding area.

Based on the above, it would be a practical difficulty and unreasonable hardship if this variance was not granted. Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I do solemnly declare and affirm, under the penalties of perjury, that I we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: _____ Legal Owner(s): _____
(Type or Print Name) (Type or Print Name)
Signature _____ Signature _____
Address _____ (Type or Print Name)
City and State _____ Signature _____
Attorney for Petitioner: _____
(Type or Print Name) Address _____ Phone No. _____
Signature _____ City and State _____
Address _____ Name, address and phone number of legal owner, contract purchaser or representative to be contacted
City and State _____ Name _____
Attorney's Telephone No. _____ Address _____ Phone No. _____

ORDERED By The Zoning Commissioner of Baltimore County, this 6 day of May, 1991, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 16 day of May, 1991, at 2 o'clock P.M.
ESTIMATED LENGTH OF HEARING 1/2HR. + 1HR. J. Robert Haines
AVAILABLE FOR HEARING MON./TUES./WED. - NEXT TWO MONTHS Zoning Commissioner of Baltimore County.
ALL OTHER
REVIEWED BY: [Signature] DATE 1-3-91

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 13 Date of Posting: March 11, 1991
Posted for: Karam
Petitioner: Thomas Booth
Location of property: 515 Illinois Avenue, SE of Brown Street
2903 Illinois Avenue
Location of Sign: In front of 2903 Illinois Avenue
Remarks: _____
Posted by: J. Grate Date of return: March 15, 1991
Number of Signs: 1

CERTIFICATE OF PUBLICATION

TOWSON, MD., 3-19, 1991

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 3-14, 1991

THE JEFFERSONIAN,

S. Zeke Olson
Publisher

\$ 53.07

CERTIFICATE OF PUBLICATION

THIS IS TO CERTIFY, that the annexed advertisement was published in the ARBUTUS TIMES, a weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 3-14, 1991

ARBUTUS TIMES

S. Zeke Olson
Publisher

\$ 53.07

NOTICE OF HEARING
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the proposed petition for a zoning variance to the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 on the following:
Case number: 91-330-A
315 South Avenue, SE of E of Brown Street
15th Election District
1st Councilmanic District
Petitioner: Thomas Booth
Hearing Date: Wednesday, April 10, 1991 at 2:00 p.m.
Petitioner to present a lot width of 50 ft. in lieu of the required 55 ft.
J. ROBERT HAINES
Zoning Commissioner of Baltimore County
ARB/EF/0000 Mar. 14

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R-001-6150
Number

DATE OF HEARING: APRIL 10, 1991
TIME: 2:00 P.M.
LOCATION: 111 WEST CHESAPEAKE AVENUE, TOWSON, MD 21204
LAST NAME OF OWNER: BOOTH

Please Make Checks Payable To: Baltimore County
04A0480027NICHRC
09/09/11AND1-23-91

\$35.00

receipt

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R-001-6150
Number

91-320

Please Make Checks Payable To: Baltimore County
04A0480012MICHRC
09/09/11AND1-23-91

\$78.09

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

DATE: 3/26/91

Thomas Booth
4 Montrose Avenue
Catonsville, Maryland 21228

RE:
Case Number 91-320-A
S/S Illinois Avenue, 50' E of Brian Street
2903 Illinois Avenue
13th Election District - 1st Councilmanic
Petitioner(s) Thomas Booth
HEARING: WEDNESDAY, APRIL 10, 1991 at 2:00 p.m.

Dear Petitioner(s):

Please be advised that \$ 25.67 is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please make your check payable to Baltimore County, Maryland. Bring the check and the sign & post set(s) to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland fifteen (15) minutes before your hearing is scheduled to begin.

J. Robert Haines

J. ROBERT HAINES
ZONING COMMISSIONER
BALTIMORE COUNTY, MARYLAND

cc: Nicholas Commodari

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

February 22, 1991

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

Case Number: 91-320-A
S/S Illinois Avenue, 50' E of Brian Street
2903 Illinois Avenue
13th Election District - 1st Councilmanic
Petitioner(s): Thomas Booth
HEARING: WEDNESDAY, APRIL 10, 1991 at 2:00 p.m.

Variance to permit a lot width of 50 ft. in lieu of the required 55 ft.

J. Robert Haines

J. ROBERT HAINES
Zoning Commissioner of
Baltimore County

cc: Thomas Booth
Nicholas B. Commodari

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

March 28, 1991

Mr. Thomas Booth
4 Montrose Avenue
Catonsville, MD 21228

RE: Item No. 292, Case No. 91-320-A
Petitioner: ~~Charles L. Thomas~~ Thomas Booth
Petition for Zoning Variance

Dear Mr. Booth:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,
James E. Dyer

JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:jw

Enclosures

cc: Nicholas B. Commodari
3410 Woodstock Avenue
Baltimore, MD 21213

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

Your petition has been received and accepted for filing this 6th day of February, 1991.

J. Robert Haines

J. ROBERT HAINES
ZONING COMMISSIONER

Received By:
James E. Dyer
Chairman,
Zoning Plans Advisory Committee

Petitioner: Thomas Booth

Petitioner's Attorney:

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines DATE: February 11, 1991
Zoning Commissioner

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: Thomas Booth, Item No. 292

The petitioner is requesting a Variance to permit a 50 ft. width in lieu of the minimum 55 ft. required. Staff has the following comments on the above request:

In instances such as these, staff's primary concerns are:

1. What is the impact on adjoining property?
2. Are adequate front, side and rear yard setbacks being provided on the site?
3. Will the reduced lot sizes result in requests for additional variances when subsequent lot owners try to build unsuitable homes on the lots or expand homes into required areas?

Based upon the information provided and analysis conducted, staff recommends that if the request is granted, the following conditions be attached:

- All building setback lines (front, side, rear) shall be shown on the site plan and recorded by the applicant on the deed of record. Furthermore, a statement shall be attached to the site plan which clearly states that all development shall conform to the setbacks as shown and additional variances shall not be granted for setbacks on the subject property.
- Any applications for building permits shall include a copy of the site plan and the commissioner's "Findings of Fact and Conclusion of Law," provided by the applicant.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/cmm
ITEM292/ZAC1

Baltimore County Government
Department of Public Works
Bureau of Traffic Engineering

401 Bosley Avenue Suite 405
Towson, MD 21204

887-3554
Fax 887-5784

February 14, 1991

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 288, 292, and 294.

Very truly yours,
Michael S. Flanigan
Traffic Engineer Associate II

MSF/lvd

Baltimore County Government
Fire Department

700 East Joppa Road Suite 901
Towson, MD 21204-5500

(301) 887-4500

JANUARY 31, 1991

J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: THOMAS BOOTH
Location: #2903 ILLINOIS AVENUE
Item No.: 292 Zoning Agenda: FEBRUARY 5, 1991

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1988 edition prior to occupancy. CHAPTER 22

Noted and Approved
Planning Group Special Inspection Division Fire Prevention Bureau

REVIEWER: *[Signature]*

JK/REK

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines DATE: February 4, 1991
Zoning Commissioner

FROM: Robert M. Dwyer, P.E.
Fire Prevention Bureau

RE: Zoning Agenda: February 5, 1991

The Fire Prevention Bureau has reviewed the subject zoning petition and comments for Items 51 (provided) at the 29th, 292 and 294.

For Item 292, the provisions of the Review Group Comments are still applicable.

For Item 294, a Certificate of Occupancy is required for this site.

Robert M. Dwyer, P.E.
Fire Prevention Bureau

MSF:

received
3/7/91

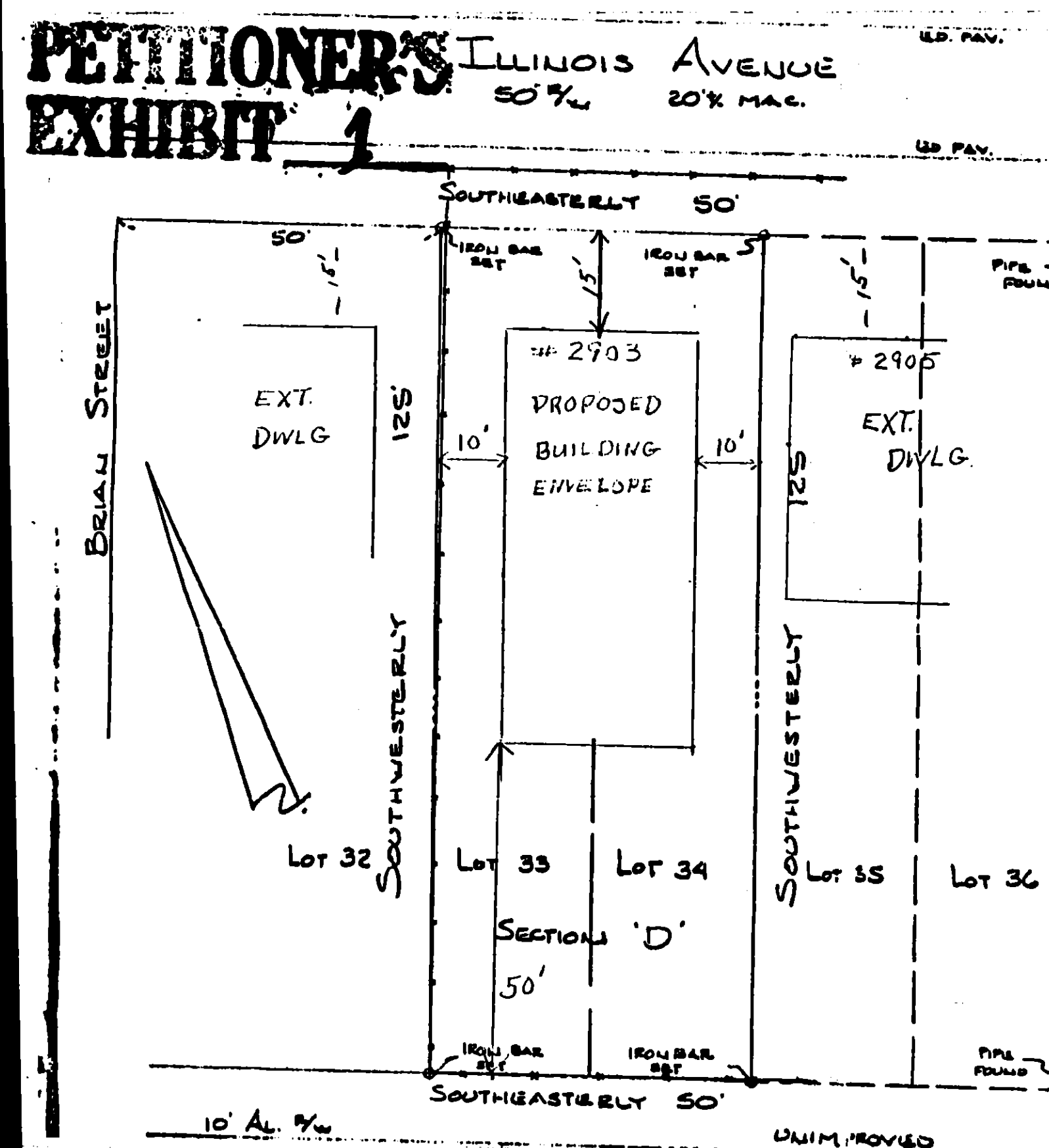
received
3/7/91

received
2/5/91



#2901 ILLINOIS AVE.
FACING BRIAN ST.

SUBJECT PROPERTY



PLAT T₆ Accounting VARIANCE.

BALTIMORE HIGHLANDS SEC. D (2/379)

OWNER. THOMAS BOOTH

COUNCILMANIC DIST. - 1ST ELECTORAL DIST. - 13TH

Zone D.R. 5.5 1' - 200' HRP = - SW C-B

LOT SIZE $50' \times 125' = 6250^{sq'}$

Public Works v. Board of Regs.

NOT IN CHESAPEAKE BAY CRITICAL AREA NO PRIOR HEARINGS

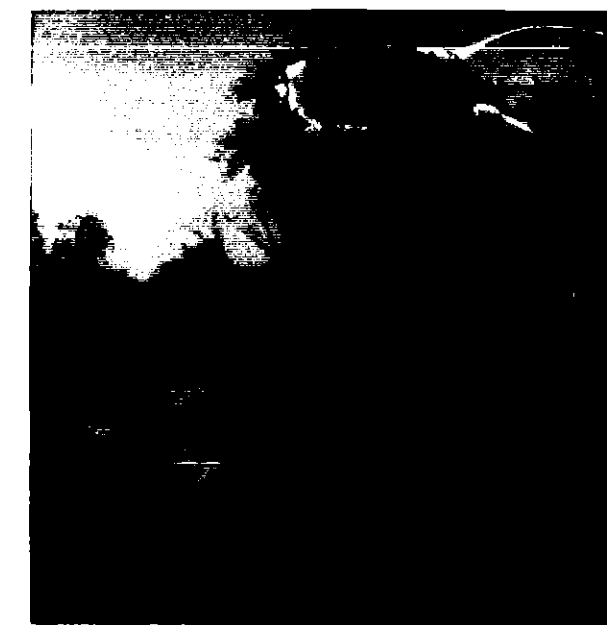
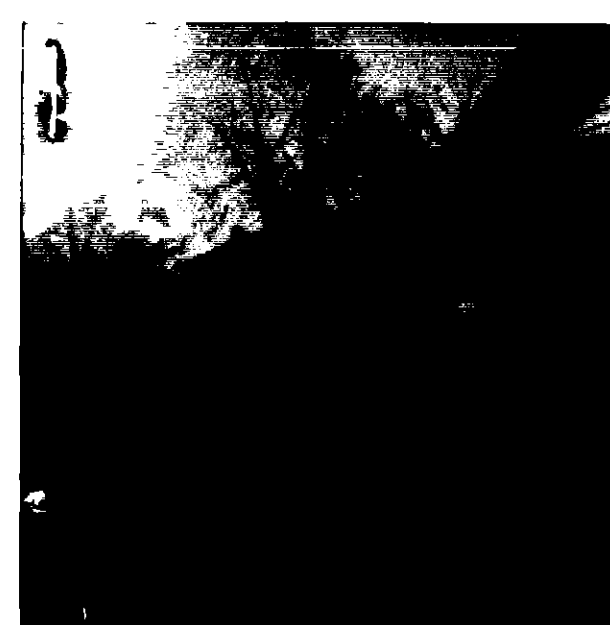
Scale: 1 in. = 20 ft.

Item# 292 225

91-320-A



PROPOSED DWELLING
2903 ILLINOIS



2905 ILLINOIS

HOUSES ADJACENT TO
" 2905 ILLINOIS

BOTH PICTURES TAKEN LOOKING EAST OF SUBJECT SITE

